

Message Text

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PAGE 01 SANTIA 00255 122107Z

ACTION ARA-14

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AMEMBASSY BUENOS AIRES

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TAGS: PFOR, AR, CI

SUBJ: GOC STATEMENT ON BEAGLE CHANNEL DISPUTE

1. FOREIGN MINISTER PATRICIO CARVAJAL CALLED IN ALL CHIEFS OF MISSION ACCREDITED TO CHILE AT 12 NOON, JAN 12 TO READ PREPARED STATEMENT ON THE BEAGLE ISSUE.

2. UNOFFICIAL TRANSLATION OF STATEMENT FOLLOWS:

BEGIN TEXT

OFFICIAL DECLARATION

GIVEN CERTAIN POSITIONS TAKEN BY THE GOVERNMENT OF ARGENTINA, THE GOVERNMENT OF CHILE BELIEVES IT NECESSARY TO STATE ITS POSITION WITH RESPECT TO THE RIGHTS OF THE REPUBLIC OF CHILE, THEREBY CLARIFYING THE SITUATION AND AVOIDING ANY MISUNDERSTANDING.

IN THE ARBITER'S APRIL 18, 1977 DECISION, WHICH IS LEGALLY OBLIGATORY AND FINAL, THE ARBITER OF THE BEAGLE CHANNEL CONTROVERSY SUSTAINED THE DECISION OF THE ARBITRATION COURT CONVENED IN ACCORDANCE WITH THE "AGREE-UNCLASSIFIED

UNCLASSIFIED

PAGE 02 SANTIA 00255 122107Z

MENT" ("COMPROMISO") AMONG THE GOVERNMENTS OF THE UNITED KINGDOM, CHILE AND ARGENTINA ON JULY 22, 1971. THE DECISION OF THE ARBITRATION COURT FOUND THAT THE BEAGLE CHANNEL AREA THE DIVIDING LINE IS "THE LIMIT BETWEEN THE TERRITORIAL AND MARINE JURISDICTIONS" OF THE TWO REPUBLICS. AT THE SAME TIME, BASED UPON THE CHILEAN/ARGENTINE TREATY ON THE LIMITS OF 1881 WHICH, INTER ALIA, ASSIGNED TO CHILE ALL THE

ISLANDS SOUTH OF THE BEAGLE CHANNEL, CHILE'S TITLE TO THE ISLANDS, PICTON, LENNOX AND NUEVA, WAS RECOGNIZED.

WITH SOLEMNITY AND IN CONFORMITY WITH THE AFOREMENTIONED TREATY, THE GOVERNMENT OF CHILE ESTABLISHED ITS CLAIM TO ALL THE ISLANDS, OUTCROPPINGS AND ROCKS SOUTH OF THE BEAGLE CHANNEL DOWN TO CAPE HORN. THIS APPLIES TO PICTON, LENNOX AND NUEVA AND TO THE REST OF THE CHILEAN ARCHIPELAGO, PARTICULARLY THE ISLANDS, HERMITE, WOLLASTON, TERHALTEN, SESAMBRE, EVOUT, BARNEVELT, FREYCINET, DECEIT AND HORNOS WITH THE OUTCROPPINGS AND ROCKS ASSOCIATED THEREWITH.

THIS DECLARATION CONCERNING THE RIGHTS OF CHILE CONSTITUTES A FURTHER MANIFESTATION OF THE ALREADY EXISTING CLAIM WITH RESPECT TO TERRITORY UNDER EFFECTIVE CHILEAN JURISDICTION AND DOES NOT INVOLVE ANY INTENTION TO MODIFY THE CURRENT DE FACTO AND LEGAL SITUATION.

IN RE-EMPHASIZING ITS CLAIM, THE CHILEAN GOVERNMENT BELIEVES IT NECESSARY TO STATE THE ACTIVITIES THAT MIGHT BE CARRIED OUT BY ARGENTINE ARMED FORCES WOULD HAVE NO JURIDICAL EFFECT OF ANY KIND WITH REGARD TO THE CHILEAN CLAIM AND WOULD SIGNIFY AN INCURSION INTO REGIONS UNDER CHILEAN SOVEREIGNTY.

IN THE CONTEXT OF INTERNATIONAL LAW ANY SUCH ACTIVITY UNCLASSIFIED

UNCLASSIFIED

PAGE 03 SANTIA 00255 122107Z

WOULD CONSTITUTE VIOLATIONS OF CHILEAN TERRITORIAL INTEGRITY AND WOULD NOT AFFECT IN ANY WAY CURRENT CHILEAN ENTITLEMENTS.

IN CONCLUDING, KEEPING IN MIND THE FRIENDLY RELATIONS THAT HAVE ALWAYS EXISTED BETWEEN CHILE AND ARGENTINA AND THE REGION'S TRADITION OF RESOLVING CONTROVERSY PEACEFULLY, THE GOVERNMENT OF CHILE WISHES TO STRESS ITS DESIRE TO REACH A PEACEFUL SETTLEMENT TO ALL DISPUTES IN CONFORMITY WITH INTERNATIONAL LAW AND TREATIES IN FORCE.

END QUOTE.
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